

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:08-CR-021-KDB-DCK**

UNITED STATES OF AMERICA,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Plaintiff,)	
))	
v.)	
))	
DEMOND SHEVIN DIXON,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Defendant,)	
))	
and)	
))	
SNYDER'S LANCE INC.,)	<u>ORDER OF CONTINUING GARNISHMENT</u>
Garnishee.)	

THIS MATTER IS BEFORE THE COURT on the United States' "Motion For Order Of Continuing Garnishment" (Document No. 167) filed August 21, 2023 upon the Answer of Snyder's Lance Inc., as the Garnishee. (Document No. 166). Judgment in the criminal case was entered on August 11, 2009 (Document No. 93). As part of the Judgment, the Defendant, Demond Shevin Dixon, was ordered to pay an assessment of \$300.00 and restitution of \$22,125.00 to the victim of the crime. Id.

On June 21, 2023, the Court entered a Writ of Continuing Garnishment ("Writ") as to the Garnishee, Snyder's Lance Inc. (Document No. 163). The Defendant was served with the Writ and Instructions notifying him of his right to request a hearing and/or claim exemptions on June 24, 2023. The Garnishee was served with the Writ and Instructions on June 26, 2023. The Garnishee filed its Answer on July 31, 2023, stating that at the time of service of the Writ, the Garnishee had in its custody, control, or possession property or funds owned by the Defendant, including nonexempt, disposable earnings. (Document No. 166). The United States served the

Answer on the Defendant on July 31, 2023. The Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS, THEREFORE, ORDERED that an Order of Continuing Garnishment is hereby **ENTERED** in the amount of \$13,698.30 computed through June 20, 2023. The Garnishee shall pay the Plaintiff, the United States of America, up to the lesser of:

1. twenty-five percent (25%) of the Defendant's disposable earnings which remain after all deductions required by law have been withheld, or
2. the amount by which the Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage.

See 15 U.S.C. § 1673(a). The Garnishee shall continue payments until the debt to the Plaintiff is paid in full; until the Garnishee no longer has custody, possession, or control of any property belonging to the Defendant; or until further Order of this Court.

Payments should be made payable to the "United States Clerk of Court" and mailed to:

CLERK OF THE UNITED STATES DISTRICT COURT
401 WEST TRADE STREET
CHARLOTTE, NORTH CAROLINA 28202

To ensure that each payment is credited properly, the following should be included on each check:
Defendant's Name Demond Shevin Dixon and Case Number DNCW5:08CR21-3.

IT IS FURTHER ORDERED that the Garnishee shall advise this Court if the Defendant's employment is terminated at any time by the Garnishee or the Defendant.

IT IS FURTHER ORDERED that the Plaintiff shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant would normally receive may be offset and applied to this debt.

SO ORDERED. Signed: August 21, 2023

